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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

SCHNEIDER, JOHN HENRY

Case No. 14-61357-7

Debtor(s)

**MOTION FOR ENLARGEMENT OF TIME TO SEEK DENIAL OF
DISCHARGE UNDER 11 U.S.C. § 727**

COMES NOW Trustee, Joseph V. Womack, and respectfully moves the Court, pursuant to Rules 1017(e)(1) and 4004(b), F.R.Bankr.P., for an extensions of time for the Trustee, United States Trustee and all creditors and other parties in interest to file a complaint objecting to discharge under 11 U.S.C. §727. Without an extension, the time period for filing such a pleading will expire at midnight on March 24, 2015.

Additional time is needed to review this case to determine if such a motion or complaint is warranted. The financial affairs of the Debtor within the four-year period prior to the filing of his bankruptcy are extremely complex. By the Debtor's own testimony, he was making in excess of Five Million Dollars (\$5,000,000.00) a year as a neurosurgeon for a number of years prior to 2012. As recently as 2012 he states that his earned income and income from sources other than

employment or operations of businesses were in excess of \$550,000.00. He now claims to only have consulting income of \$2,500.00 per month from an entity, MedPort, LLC managed by his sister, Kathleen Theresa Burrows, owned by his wife and children.

His current asset statement warrants careful scrutiny. For example, his home is valued at \$625,000.00, owned jointly with his wife, and is now fully encumbered by a judgment held by Trusts that Debtor also formed on March 30, 2012 for each of his three children, Brandon, Caitlin and Shannon, with his sister, Burrows, named as Trustee for all three trusts. The Debtor's schedules show that, with the exception of a number of unliquidated and complex breach of contract claims, Debtor now owns few unencumbered assets. In contrast, his children's trusts and his wife own assets worth millions of dollars.

Trustee has requested many documents and information from Debtor and Debtor has supplied a large amount, but not all the requested information. In fact Debtor is now in violation of the Court's Order for turnover of documents entered on March 13, 2015 in that he has not turned over all the documents as ordered. Trustee has continued the § 341 meeting to April 30, 2015, because the documents have not been turned over.

The deadline to file complaints under 11 U.S.C. § 727 can be extended "for cause" pursuant to Rule 4004(b), Fed. R. Bankr. P. The circumstances of this Motion constitute "cause" under Rule 4004 in that the Debtor has not provided the documents requested by the Trustee and the § 341 meeting has not been concluded. In addition, various pre-bankruptcy transactions involving millions of dollars need to be thoroughly investigated to determine if grounds exist to seek relief under 11 U.S.C. § 727.

Accordingly, the Court is requested to extend the specified deadline for cause for a period through and including June 24, 2015, in order to allow Trustee and all creditors and other parties

in interest additional time to investigate Debtor's circumstances and to determine if a complaint to deny discharge is warranted.

DATED this 24th day of March, 2015.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that on March 24, 2015, or as soon as possible thereafter, a copy of the foregoing was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same. In addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users pursuant to the Court's Order limiting service by mail dated January 15, 2015 (Docket No. 24):

Debtor:

John Henry Schneider
3611 Tommy Armour Circle
Billings, MT 59106

Interested Parties

Limited Notice List

By: /s/ Lynsey Lund
Lynsey Lund
Legal Asst. to Trustee